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MEMO ENDORSED

VIA ECF

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Hon. Valerie E. Caproni
United States District Judge
United States District Court for the
Southern District of New York
500 Pearl Street, Courtroom 15C
New York, NY 10007

Re: Dominguez v. Lacoste USA, Inc.
U.S. District Court, Southern District of New York(Foley Square)
Civil Action No.: 1:19-cv-11182-VEC

Dear Judge Caproni:

This firm represents Defendant Lacoste USA, Inc. (“Defendant”) in the above-referenced action. We have conferred with Plaintiff’s counsel and write, with Plaintiff’s concurrence, to jointly request a stay of this action until August 4, 2020.

By way of background, Defendant’s current responsive pleading deadline is April 17, 2020. (ECF No. 7.) If the Court does not stay this matter, Defendant will file a responsive pleading by this date.

The parties respectfully request that this action be stayed to allow for the resolution of motions to dismiss in similar matters arising out of gift cards that do not include Braille, which are currently pending before the Court and other judges in this District and the Eastern District of New York. The stay would allow the parties to have the benefit of the Court’s analysis of the issues in other matters which will inform their assessment of the pending case. It will also conserve resources of both the parties and the Court.

Additionally, this stay is appropriate in light of the health crisis and economic turmoil arising from the COVID-19 pandemic and the resulting impact on Defendant’s operations. Indeed, in order to protect Defendant’s customers and employees, Defendant has closed all of its Defendant’s retail and outlet stores until further notice.

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Your Honor issued similar stays on the same grounds in *Calcano v. Drybar Holdings LLC*, Case No. 1:19-cv-11389-VEC (S.D.N.Y.) (ECF No. 10) and *Mendez v. JA Apparel*, Case No. 1:19-cv-11807-VEC (ECF No. 9). Likewise, other Judges have issued similar stays in the following cases: in *Delacruz v. Five Below, Inc.*, Case No. 1:19-cv-10294-RA (S.D.N.Y.) (ECF No. 16), *Matzura v. New Balance Athletics, Inc.*, Case No. 1:19-cv-11344-RA (S.D.N.Y.) (ECF No. 18), *Mendez v. The Men's Wearhouse, Inc.*, 1:19-cv-11765-RA (S.D.N.Y.) (ECF No. 15), *Calcano v. Domino's Pizza, Inc.*, Case No. 1:19-cv-09823-GHW (S.D.N.Y.) (ECF No. 24), *Delacruz v. Jamba Juice*, Case No. 1:19-cv-10321-GHW (S.D.N.Y.) (ECF No. 20), *Calcano v. Guess, Inc.*, Case No. 1:19-cv-10441-KPF (S.D.N.Y.) (ECF No. 18), *Dominguez v. Marshalls of MA, Inc.*, Case No. 1:19-cv-10626 (S.D.N.Y.) (ECF No. 20), and *Delacruz v. Converse Inc.*, Case No. 1:19-cv-10293-GBD (S.D.N.Y.) (ECF No. 20.)

We thank the Court for its time and attention to this matter, and for its consideration of this application.

Respectfully submitted,



Sara T. Schneider

Application GRANTED. This case is STAYED until August 3, 2020 to permit the resolution of motions to dismiss in similar matters currently pending before the Court and elsewhere in this district. The initial pretrial conference scheduled for April 17, 2020, is adjourned pending further order. The parties are directed to submit a joint status letter to the Court no later than **July 27, 2020**. In addition, no later than five days after the issuance of any opinion in this district relevant to the claims asserted in this case, the parties are directed to submit a joint letter addressing the impact of the decision on this case and the continued need for a stay.

SO ORDERED.

Date: 04/13/2020



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE